

## **REMARKS**

The Examiner has required an election under 35 U.S.C. § 121 of one of the following inventions:

- I: Claims 1, and 3-9, drawn to a method for constructing a strain of diploid fungal cells, classified in Class 435, subclass 484;
- II: Claims 2-4, and 6-9 drawn to a method of assembling a collection of diploid fungal cells, classified in Class 435, subclass 489;
- III: Claims 10-13, and 53-55, drawn to a strain of diploid fungal cells; classified in Class 435, subclass 254.11;
- IV: Claims 14-21, drawn to a collection of diploid fungal cells, classified in Class 435, subclass 254.2;
- V: Claims 22-23, drawn to a nucleic acid molecule microarray, classified in Class 536, subclass 23.1;
- VI: Claims 24-35, drawn to a method for identifying a gene essential to the survival (or growth) of a fungus, classified in Class 435, subclass 6;
- VII: Claim 26, drawn to a method for identifying a gene that contributes to the virulence and/or pathogenicity of a fungus, classified in Class 435, subclass 29;
- VIII: Claim 27, drawn to a method for identifying a gene that contributes to the resistance of a diploid fungus to an antifungal agent, classified in Class 435, subclass 6;
- IX: Claim 28, drawn to a method for identifying an antifungal agent, classified in Class 435, subclass 254.11;
- X: Claim 29, drawn to a method for identifying a therapeutic agent for treatment of a mammalian disease, classified in Class 435, subclass 29;
- XI: Claims 30-31, drawn to a method for correlating changes in the levels of proteins with the inhibition of growth or proliferation of a diploid fungal cell, classified in Class 435, subclass 483;
- XII: Claims 32-42, drawn to nucleic acid molecules encoding gene products from diploid fungal cells, classified in Class 536, subclass 23.72;
- XIII: Claim 43, directed to a polypeptide selected from SEQ ID NO: 63-123,

classified in Class 530, subclass 350;

XIV: Claims 44-48, drawn to polypeptides, classified in Class 530, subclass 350;

XV: Claims 49-51, drawn to a method of identifying a compound which modulates the activity of a gene product, classified in Class 435, subclass 7.1;

XVI: Claim 52, drawn to a method of eliciting an immune response in an animal, classified in Class 514, subclass 2;

XVII: Claim 56, drawn to a method of identifying a binding partner to a polypeptide, classified in Class 435, subclass 7.31;

XVIII: Claims 57-59, drawn to a method for identifying a compound having the ability to inhibit growth or proliferation of *Candida albicans*, classified in Class 435, subclass 29;

XIX: Claims 60-62, drawn to a method for inhibiting growth or proliferation of *Candida albicans*, classified in Class 435, subclass 6;

XX: Claims 63-64, drawn to a method for manufacturing an antimycotic compound, classified in Class 435, subclass 41;

XXI: Claims 65-70, drawn to a method for treating a patient for *Candida albicans* infection or inhibiting or preventing contamination of a surface by *Candida albicans*, classified in Class 514, subclass 44;

XXII: Claims 71-72, drawn to an antibody, classified in Class 530, subclass 387.1;

XXIII: Claims 73-74, drawn to a method for evaluating a compound against a target gene, classified in Class 435, subclass 6;

XXIV: Claim 75, drawn to a method for identifying an antimycotic compound, classified in Class 435, subclass 254.21;

XXV: Claim 76, drawn to a computer, classified in Class 709, subclass 101; and

XXVI: Claim 77, drawn to a computer assisted method for identifying essential genes of fungi, classified in Class 702, subclass 20.

In response, Applicants hereby elect Group XII, claims 32-42, directed to nucleic acid molecules encoding gene products from diploid fungal cells, classified in class 536, subclass 23.72.

The Examiner additionally requires that if Group XII is elected, a further

election of a single nucleotide sequence be made. In response, Applicants hereby elect SEQ ID NO.: 6068 for examination on the merits. Applicants believe that claims 32-42 each read on the elected species.

### CONCLUSION

Applicants respectfully request that the present remarks be made of record in the instant application. An early allowance of the application is earnestly requested. If any issues remain in connection herewith, the Examiner is respectfully invited to telephone the undersigned to discuss the same.

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Respectfully submitted,  
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